

PATENT**KERMANI 43
Y0242-00205****III. Remarks**

Claims 1, 3-9, 11-16, 18-19, 22-23, 25-26, 28-36 are pending in the present application.

The Action again rejects all pending claims. Reconsideration and withdrawal of these rejections are respectfully requested in view of the foregoing amendments and the following arguments.

A. Summary of Interview with Examiner

On July 8, 2004, the undersigned attorney conducted a telephone interview with the Examiner to clarify the Examiner's reasoning set forth in the "Response to Arguments" section of the Final rejection. In particular, Applicant's attorney requested clarification of what is meant by the statement "Grefenstette teaches that a user input device selects one of a set of POS based removal criteria and a summary is generated according to that input. Thus the summary is 'particularized to the electronic document' as claimed." This statement is curious because the claims require that the selected set of instructions be particularized to the "electronic document", not a "summary". The Examiner explained that she considers the term "particularized" to be too broad, meaning once any set of instructions is selected for use, it is thereafter "particularized" to the electronic document. As argued below, this construction is not warranted by the ordinary meaning of the term "particularized", by its context in the claims and by its usage in the Specification. Nonetheless, as explained below, the Applicant has endeavored to amend the claims to expressly state what was already at least implicit in the claims and the meaning of the term "particularized".

B. Claim Rejection Under § 103

The Action again rejects all pending claims as being obvious from U.S. Patent No. 6,289,304 to Grefenstette (hereinafter, the '304 Patent). This rejection is addressed below using amended Claim 1 as representative of the independent claims.

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particularized to the electronic documents. Such an interpretation is not supported by the use of "particularized" in specification or claims or the ordinary meaning thereof.

Therefore, the language of Claim 1, the Specification and the ordinary meaning of the term "particularized" support its use as modifying the type of set of instructions rather than the use of the set of instructions on the electronic document. Applicant submits that it has used this term consistently and argued this construction in the Response to the December 17, 2003 Office Action.

Nonetheless, Claim 1 has been amended to recite that "the set of instructions are particularized to the electronic document before selection thereof." Applicant submits that this amendment merely clarifies what is implicit in the use of the term "particularized", i.e., that the term modifies the type of set of instructions and that a set of instructions does not somehow become "particularized" to an electronic document by its mere selection. No new search, therefore, is required.

From the foregoing, the '304 Patent does not teach or suggest a set of instructions for abstracting an electronic document that is particularized to the electronic document nor that is particularized to the electronic document before selection thereof. It follows that independent Claim 1, and independent Claims 9, 16 and 23, which recite features that parallel Claim 1, are not obvious from the '304 Patent and are allowable over the art of record. It is submitted that Claims 3-8, 11-15, 18-19, 23, 25-26 and 28-36, which depend from the independent claims, are also allowable for at least the reasons set forth above. Reconsideration and withdrawal of the rejection of these claims are respectfully requested.

Applicants would like to address one other point made by the Examiner in the "Response to Arguments" section. The Examiner notes, "In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the feature upon which applicant relies (i.e., particularized to an electronic document by using a weighting schemes that weights prior to abstraction particular portions of an electronic document. . .) are

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Amended Claim 1 now recites the step (b) of selecting a set of instructions for abstracting the electronic document, wherein the set of instructions are particularized to the electronic document before selection thereof. This feature is neither taught nor suggested by the '304 Patent.

Applicant submits that the Examiner recognizes that each summarization rule taught by the '304 Patent is clearly generic in nature, i.e., the rules are grammatical rules generally applicable to any electronic document. These rules are clearly not "particularized" with respect to electronic documents. One dictionary (dictionary.com (print out enclosed)), provides that "particularize" means "to make particular as opposed to general or universal." The same reference provides that "particularized" means "directed toward a specific object." Therefore, when step (b) recites the step of "selecting a set of instructions for abstracting the electronic document, wherein the set of instructions are particularized to the electronic document", the step does not use "particularized" as meaning the instructions are applied to or performed on the electronic document (indeed, that step is claimed in the third recited step of "creating"), but rather that the set of instructions are particular to or directed specifically to the electronic document, i.e., not generally or universally applicable to all documents.

This usage of "particularized" as modifying the type of instruction (as opposed to the use of the selected instructions) is amply supported in the Specification. For example, FIG. 1 clearly illustrates the storage of both "generic" and "particular" instructions 44ca, 44cb. The instructions are "particular" before being selected for use in the abstraction. The use of the phrase "particular" in FIG. 1 has nothing to do with whether the instructions are actually selected for use. FIGS. 3 and 4 also illustrate this point. FIG. 3 illustrates a process for abstracting a document once a set of generic instruction are selected. FIG. 4 illustrates a separate process where a set of "particularized instructions" are selected (meaning they are "particularized" before selection) and then applied to a document for abstraction. By the Examiner's reasoning, once a generic set of instructions is selected for use, it would be a generic set of instructions

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not recited in the rejected claim(s).” Applicant does, however, claim this feature in previously added dependent Claims 33-36, i.e., the set of instructions include “weights associated with respective portions of said electronic document.” As argued above, that the weights are assigned prior to abstraction was at least implicit in the use of the term “particularized” and is now explicit via amendment to the independent claims.

As argued in the previous Response, in contrast, the ‘304 Patent discloses a method and system for summarizing text using part-of-speech (POS) data indicating parts-of-speech for tokens in the text. (Abstract; and Column 2, Lines 15-22 (relied upon by the Examiner)). The ‘304 Patent describes the use of a reduction filter (Step S7) based on a selected reduction level to generate the summarized text. (Column 8, Lines 44-58). The reduction levels, which are based on generic POS instructions, are not sets of instructions including weights that are “particularized to the electronic document”, as previously claimed, or “particularized to the electronic document before selection thereof” as implicitly claimed before and now expressly claimed. For at least these reasons, these dependent claims are independently allowable over the art of record.


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In view of the foregoing remarks and amendments, Applicant submits that this application is in condition for allowance at an early date, which action is earnestly solicited.

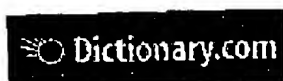
The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

Dated: 7/20/04
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par-tic-u-lar-ize **Pronunciation Key** (pə-tĭk'yə-lə-
rĭz', pə-tĭk-)

v. par-tic-u-lar-ized, par-tic-u-lar-iz-ing, par-tic-u-lar-iz-es
v. *tr.*

1. To mention, describe, or treat individually; itemize or specify.
2. To make particular as opposed to general or universal.

v. *intr.*

To go into or give details or particulars.

par-tic-u-lar-i-za'tion (-lə-rĭ-zā'shən) *n.*par-tic-u-lar-iz'er *n.*[\[Download or Buy Now\]](#)

Source: *The American Heritage® Dictionary of the English Language, Fourth Edition*

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Particularize \Par*tic"u*lar*ize\, v. t. [imp. & p. p.

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Dictionary.com/particularized

Particularized; p. pr. & vb. n. Particularizing.] [Cf. F. particulariser.] To give as a particular, or as the particulars; to mention particularly; to give the particulars of; to enumerate or specify in detail.

He not only boasts of his parentage as an Israelite, but particularizes his descent from Benjamin. --Atterbury.

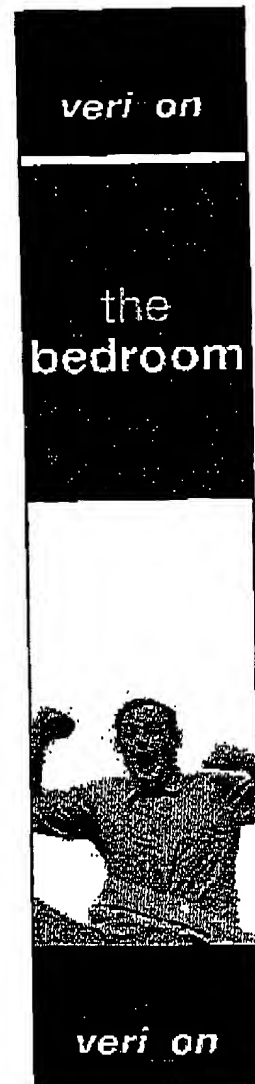
[Try Merriam-Webster Unabridged.]

Source: Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

particularized

adj : directed toward a specific object; "particularized thinking as distinct from stereotyped sloganeering" [syn: particularised]

Source: WordNet ® 1.6, © 1997 Princeton University



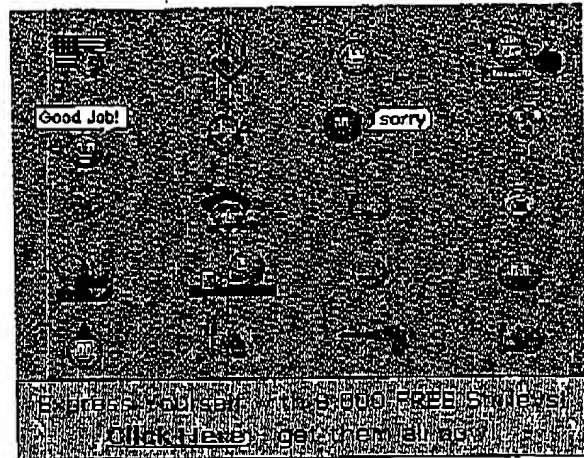
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